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United States v. Masso, et al. Prepared Remarks for U.S. Attorney Preet Bharara October 25, 2011

Good afternoon. My name is Preet Bharara, and I am the United States Attorney for the Southern District of New York.

Today we announce the arrests of twelve men for a variety of federal crimes. Ten of the twelve are, or were, members of law enforcement. Eight of them are current or former New York City police officers.

The Complaint describes how a group of crime fighters took to moonlighting as criminals; how a gang of police officers who should have been keeping guns off the street instead smuggled 20 firearms into the City; and how a number of men once charged with enforcing the law are now charged with breaking it.

Before getting to the details, let me acknowledge some people who worked so tirelessly to get us to this point:

- The FBI, represented by Special Agent in Charge Diego Rodriguez. I want to thank the dedicated members of the FBI who worked so hard on this case, especially Supervisory Special Agent Robert Hennigan, Special Agent Kenneth Hosey, and Assistant Special Agent in Charge Rachel Rojas.**
- Commissioner Kelly, of the NYPD, and Chief Charles Campisi of the Internal Affairs Bureau of the NYPD, who worked hand-in-glove with the FBI in this case.**
- I also want to express my appreciation to the fine career prosecutors who have worked so hard on this matter: Assistant United States Attorneys Carrie Cohen, Brent Wible, and Amanda Kramer, as well as Brendan**

McGuire and Michael Bosworth, chiefs of our Public Corruption Unit, and Lisa Zornberg, the chief of our Complex Frauds Unit.

According to the four-count Complaint, some or all of the defendants willingly participated in a variety of criminal schemes. Specifically, the charges unsealed today include conspiracy to distribute firearms and conspiracy to distribute over \$1 million in stolen goods.

First, between the fall of 2010 and September 2011, all 12 defendants allegedly conspired to transport across state lines what they believed to be stolen slot machines, stolen cigarettes and other stolen merchandise. In fact, these goods were not actually stolen; they were supplied by an undercover officer working under the direction and supervision of the FBI, in close coordination with NYPD's Internal Affairs Bureau.

But as described, the defendants were ready, willing and able to help out. In connection with one of the stolen cigarette deals, for example, a number of the defendants – including three active duty NYPD officers – allegedly drove all the way down to Virginia to take part in a theft of \$500,000 worth of what they believed to be stolen cigarettes. William Masso, an active duty NYPD officer and the lead defendant, allegedly promised to get the undercover officer a “good army” to assist in future criminal schemes.

To make matters worse, some of the NYPD officers were allegedly willing to use their credentials and special law enforcement knowledge to make sure the various schemes were successful. For example, in a meeting before one of the stolen slot machine deals, Officer Masso suggested to the other defendants that they carry their badges during the operation so that, if stopped, they could say they were just off-duty cops delivering items somebody had purchased at an auction.

All told, the Complaint alleges that the defendants ultimately helped transport, interstate, stolen slot machines, cigarettes, and merchandise with a street value of over \$1 million. And as alleged, in exchange for providing the protection of their badges, the defendants pocketed over a hundred thousand dollars, in cash, for their troubles.

Second, as the investigation continued, the defendants proved willing to commit even more dangerous crimes, as the Complaint describes. In July of this year, for example, three defendants allegedly sold a shotgun to an undercover officer for \$2,000.

At the time, defendant Santiago allegedly told the undercover it was just a “little taste” of what they could get him. Defendant Masso further explained that they

could get the undercover anything “from A to Z.” And defendant Gee even promised the undercover that he could supply six to eight guns per month.

Third, as outlined, in September 2011, after the undercover officer told the defendants he needed help transporting firearms from New Jersey to New York, eight defendants were more than willing to do so, so long as the price was right.

Four active duty NYPD officers and two retired NYPD officers illegally transported what they believed to be dangerous firearms; these included three M-16 rifles, one shotgun, and 16 handguns, the majority of which had been altered or defaced to remove the serial numbers.

Now, all of these guns were supplied by the FBI, the FBI had rendered them inoperable, and the FBI monitored their transportation every step of the way.

But the defendants did not know they were transporting non-working guns, and that is why this was so serious.

Days like today are not easy or pleasant for people in the business of law enforcement. It is not pleasant to investigate, arrest, prosecute, and punish your fellows in law enforcement, who took the same oath that you did. And it is not easy to see police officers bring dishonor to an institution deserving of the greatest honor.

It is a heartbreaking thing. But it is our duty to enforce the law and to uphold the rule of law – and to do so perhaps most unflinchingly when we come across people who have chosen to breach that sacred duty, because an officer who betrays his badge betrays every honorable officer, as well as every member of the public.

The NYPD, in my view, is the finest police force in the world and has done more to protect our city and keep us safe than any comparable force in any city, anywhere.

And I am proud to work with a police department that shows that it has the courage to police itself, as it has shown today.

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